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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RAYVEN LAFUA,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, a law enforcement agency of
the State of Nevada; SERGEANT KASHIF
SUMMERS, in his individual and official
capacity; CAPTAIN KRISTINE BUIST, in her
individual and official capacity, DOE
DEFENDANTS 1 through 10; and ROE
DEFENDANTS 1 through 10, inclusive,

Defendants.

Case No.: 2:22-cv-02133-GMN-BNW

**STIPULATION AND ORDER FOR
EXTENSION OF DISCOVERY
DEADLINES (FOURTH REQUEST)**

Pursuant to Federal Rule of Civil Procedure 6(b)(1) and LR 6-1 and LR 26-4, Plaintiff, by and through his counsel of record, Jennifer Willis Arledge, Esq., of the law firm SGRO & ROGER, and Defendants, by and through their counsel of record, Nick D. Crosby, Esq., of the law firm MARQUIS AURBACH, hereby stipulate and request that this Court extend discovery deadlines in the above-captioned matter for approximately (30) days. In support of this stipulation and request, the parties state as follows:

1 **I. PROCEDURAL HISTORY**

2 1. On December 12, 2022, Plaintiff filed his Complaint. ECF No. 1.

3 2. On January 19, 2023, Defendants filed their Motion for Partial Dismissal of
4 Plaintiff's Complaint. ECF No. 7.

5 3. On January 19, 2023, Defendants filed their Answer to Plaintiff's Complaint. ECF
6 No. 9.

7 4. On March 3, 2023, this Court entered the Discovery Plan and Scheduling Order.
8 ECF No. 15.

9 5. On May 30, 2023, this Court entered its Order Granting Defendants' Motion for
10 Partial Dismissal. ECF No. 17.

11 6. On June 16, 2023, Plaintiff filed his First Amended Complaint. ECF No. 18.

12 7. On June 30, 2023, Defendant filed their Motion for Partial Dismissal of Plaintiff's
13 First Amended Complaint. ECF No. 22.

14 **II. DISCOVERY COMPLETED TO DATE**

15 1. The parties participated in the FRCP 26(f) conference on February 17, 2023.

16 2. On March 2, 2023, Plaintiff served his Initial Disclosure of Witnesses and
17 Documents pursuant to FRCP 26.

18 3. On March 3, 2023, Defendants served their Initial Disclosure of Witnesses and
19 Documents pursuant to FRCP 26.

20 4. On March 3, 2023, this Court entered the Discovery Plan and Scheduling Order.
21 ECF No. 15.

22 5. On March 9, 2023, the Defendants served written discovery on Plaintiff.

23 6. On March 15, 2023, Plaintiff served written discovery on Defendants.

24 7. On April 24, 2023, Plaintiff responded to Defendants' discovery requests.

25 8. On May 1, 2023, LVMPD Defendants responded to Plaintiff's discovery requests.

26 9. On September 26, 2023, Defendants took the Deposition of Dan Coyne.

27 10. On September 28, 2023, Plaintiff took the Deposition of Sergeant Kashif Summers.

28 11. On October 2, 2023, Defendants took the Deposition of Plaintiff Rayven Lafua.

1 12. On October 3, 2023, Plaintiff took the Deposition of Detective Matthew Pacheco
2 and Officer Elmer Martinez-Garcia.

3 13. On October 6, 2023, Plaintiff took the Deposition of Captain Kristine Buist.

4 14. On November 6, 2023, Plaintiff took the Deposition of Sergeant Brent Garcia.

5 **III. WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

6 The scheduling of the deposition of a representative of Defendant Las Vegas Metropolitan
7 Police Department has proven difficult. The deposition of a Las Vegas Metropolitan Police
8 Department representative under FRCP 30(b)(6) was scheduled for January 26, 2024, however
9 prior to the start of the deposition, the court reporter had a scheduling conflict and could no longer
10 attend the deposition. The court reporting company offered a reporter via zoom, but due to the
11 volume of exhibits, both parties agreed the deposition needed an in-person reporter. To date,
12 counsel for both sides has been diligent in working to determine a new mutual agreeable date for
13 rescheduling the 30(b)(6) representative deposition, but a date has yet to be determined, thus
14 necessitating an extension of discovery deadlines.

15 **IV. REMAINING DISCOVERY**

16 1. The Plaintiff intends to take the deposition of:

17 a. Defendant LVMPD's FRCP 30(b)(6) witness.

18 **V. EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND**
19 **SCHEDULING ORDER**

20 LR 26-4 governs modifications of extensions of the Discovery Plan and Scheduling Order.
21 Any stipulation or motion must be made no later than twenty-one (21) days before the expiration
22 of the subject deadlines and comply fully with LR 26-4. The parties acknowledge that they are
23 submitting this request less than twenty-one (21) days before the discovery cut-off date. The
24 parties are actively attempting to schedule depositions and complete the remaining discovery, but
25 just recently realized that completion within the allotted time would be impractical due to limited
26 availability of counsel and witnesses. Good faith exists for this delay because discovery is
27 necessary for the parties to properly prepare for dispositive motions and trial. Therefore, the
28 parties respectfully request that the modification of the scheduling order be granted. The following

is a list of the current discovery deadlines and the parties' proposed extended deadlines.

Discovery Cut-Off Date	February 13, 2024
Amending the Pleadings and Adding Parties	Completed April 19, 2023
Fed. R. Civ. P. 26(a)(2) Disclosures (Experts)	
(a) Disclosure of experts and their reports	Completed May 19, 2023
(b) Disclosure of rebuttal experts and their reports	Completed June 16, 2023
Dispositive Motions	March 14, 2024
Pre-Trial Order	April 15, 2024

The requested 30-day extension would extend the deadline dates as follows:

Discovery Cut-Off Date	March 15, 2024
Amending the Pleadings and Adding Parties	Completed April 19, 2023
Fed. R. Civ. P. 26(a)(2) Disclosures (Experts)	
(a) Disclosure of experts and their reports	Completed May 19, 2023
(b) Disclosure of rebuttal experts and their reports	Completed June 16, 2023
Dispositive Motions	April 15, 2024
Pre-Trial Order	May 15, 2024

This request for an extension of time is not sought for any improper purpose or for purposes of delay. The parties are in continuous communication with one another and are actively attempting to coordinate schedules to complete discovery. Therefore, the parties respectfully submit that the reasons set forth above constitute compelling reasons for the discovery extension.

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1 WHEREFORE, in an effort to ensure an effective discovery period and to reduce the
2 burden to both parties, their staff, and clients, the parties file this stipulation requesting a 30-day
3 extension for each discovery deadline as set forth above. The parties respectfully request that this
4 Court extend the discovery dates as outlined in accordance with the table above.

5 IT IS SO STIPULATED this 14th day of February 2024.

6 **MARQUIS AURBACH**

SGRO & ROGER

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15 **IT IS SO ORDERED**

16 **DATED:** 9:55 am, February 16, 2024

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19 **BRENDA WEKSLER**
UNITED STATES MAGISTRATE JUDGE